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REPORT OF THE SECRETARY-GENERAL ON THE SITUATION IN TAJIKISTAN

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 4 of Security Council resolution 968 (1994) of 16 December 1994. It provides an account of the situation in Tajikistan and the activities of my Special Envoy for Tajikistan and the United Nations Mission of Observers in Tajikistan (UNMOT) since my last report of 12 May 1995 (S/1995/390).

II. NEGOTIATING PROCESS

2. Following the high-level consultations between the Government of Tajikistan and the Tajik opposition in Moscow from 19 to 26 April 1995, about which I informed the Council in my previous report, President Emomali Rakhmonov initiated a meeting with the Chairman of the Islamic Revival Movement of Tajikistan, Mr. Abdullo Nuri. President Burhanuddin Rabbani of Afghanistan suggested Kabul as the venue for the meeting, which took place there from 17 to 19 May 1995. In the joint statement, both sides confirmed their readiness to solve the inter-Tajik conflict, to repatriate all the refugees to their places of origin and to stabilize fully the political situation in Tajikistan. They agreed to extend the agreement on a temporary cease-fire and cessation of other hostile acts of 17 September 1994 (the "Tehran Agreement") (S/1994/1102, annex I) for another three months, until 26 August 1995. The two leaders also pledged that the Tajik sides would make every possible effort to resolve the conflict through political means at the negotiating table. In that connection, they agreed that the results of the Kabul summit would be further defined at the fourth round of inter-Tajik talks.

3. The fourth round of talks on national reconciliation took place under United Nations auspices at Almaty from 22 May to 1 June 1995, with the participation of observers from Afghanistan, the Islamic Republic of Iran, Kazakstan, Kyrgyzstan, Pakistan, the Russian Federation, Uzbekistan, the Organization for Security and Cooperation in Europe (OSCE) and the Organization of the Islamic Conference (OIC). At the request of the parties concerned, my Special Envoy, Mr. Ramiro Píriz-Ballón, chaired the talks and made his good

offices available during the negotiations. The delegation of the Government of Tajikistan was led by Mr. Mahmadsaid Ubaidulaev, First Deputy Prime Minister, and the delegation of the Tajik opposition by Mr. Akbar Turajonzodah, First Deputy Chairman of the Islamic Revival Movement of Tajikistan.

4. In accordance with the agenda agreed upon during the high-level consultations in Moscow in April 1995 and with a view to reaching peaceful national reconciliation, the parties had, for the first time, an in-depth discussion of fundamental institutional issues and the consolidation of the statehood of Tajikistan, as set forth during the first round of talks in Moscow in April 1994.

5. The delegation of the Tajik opposition suggested the establishment of a Council of National Accord as a supreme legislative and executive body for the transitional period (up to two years) on the basis of parity, with representatives of the current Government and the opposition each having 40 per cent of the seats and representatives from ethnic minorities the remaining 20 per cent. The Council would be responsible for drafting amendments to the current constitution and other legislative acts for the transitional period. It would also prepare and hold elections to a new parliament. The Tajik opposition delegation stated its readiness to recognize the current President of Tajikistan, Mr. Emomali Rakhmonov, as long as he agreed to the establishment of a Council of National Accord on those lines.

6. The delegation of the Government suggested the discussion of issues related to the permanent cessation of hostilities, repatriation of refugees, simultaneous release of detainees and prisoners of war, activities of political parties and movements and the mass media, and adoption of an amnesty decree. In that context, the Government's representatives stated their readiness to allow free activities by political parties and movements and the mass media, as well as to declare an amnesty for opposition supporters. In addition, President Rakhmonov, in a letter to me dated 24 May 1995, expressed readiness to consider the integration of the armed opposition units into the appropriate military structures of Tajikistan and the recruitment of competent opposition representatives to appropriate executive posts in the Government.

7. The parties also discussed a number of compromise proposals presented by my Special Envoy. However, the parties were not able to reach mutually acceptable decisions on these complex issues. At the same time, they confirmed their commitment to look for practical solutions in the future.

8. As a result of the fourth round of inter-Tajik talks, the two sides adopted a joint statement (S/1995/460, annex). The main agreements reached at Almaty can be summarized as follows:

(a) The delegations welcomed the decision of the Kabul summit to extend the Tehran Agreement until 26 August 1995;

(b) With a view to strengthening confidence-building measures, the two sides agreed to exchange an equal number of detainees and prisoners of war by 20 July 1995 and to ensure unobstructed access of representatives of the

International Committee of the Red Cross (ICRC) and members of the Joint Commission to places where detainees and prisoners of war were being held;

(c) The parties agreed to step up their efforts to ensure the voluntary, safe and dignified return of all refugees and internally displaced persons to their places of permanent residence and adopted concrete measures to that end;

(d) The delegation of the Government of Tajikistan agreed, based on humanitarian considerations, to take the necessary measures to suspend, for the duration of the inter-Tajik talks, the death sentences of opposition members and subsequently to review those sentences;

(e) Finally, the two parties requested my Special Envoy to continue his good offices in the search for a peaceful solution to the conflict.

III. MAINTENANCE OF THE CEASE-FIRE AND ACTIVITIES OF THE UNITED NATIONS MISSION OF OBSERVERS IN TAJIKISTAN

9. Following a number of serious incidents reported in my last report, the situation in Tajikistan has remained relatively calm, although tensions continued to be high in areas along the Tajik-Afghan border.

10. During the period since my last report, UNMOT carried out 17 investigations, either independently or together with the Joint Commission. As has previously been the case, many of the incidents were such that it could not be determined whether they were hostilities between the Government and the opposition or actions in a different context.

11. UNMOT confirmed one violation of the Tehran Agreement during the period under review: on 13 May, a Special Operations Regiment of the Government entered the village of Khakimu, near Komsomolabad (south of Garm), and began shooting at the local population, causing the death of one person and injuring two others, including a child. This followed an attack on a defence post of the Special Operations Regiment in the village of Chorsada, near Khakimu, on the same day, allegedly by members of the opposition. Five members of the Special Operations Regiment were killed in that attack. UNMOT confirmed the attack on the post in Chorsada, but could not verify that the perpetrators belonged to the opposition.

12. The Russian border forces continue to report infiltration attempts across the border by the members of the opposition in the Pyanj and Moskovskiy areas, as well as attacks by rocket launchers on their posts from Afghan territory. The border forces continue to respond to the infiltration attempts by shelling across the border.

13. UNMOT confirmed that on 2 May helicopters belonging to the Russian border forces attacked Panshambe-Obod village at Vanj, in Gorno-Badakshan. The extent of casualties and damage has not been determined.

14. On 20 May, four or five helicopters bombed the village of Maimai, in northern Afghanistan, across the border from Kalaikhumb, causing up to 20 civilian casualties. The attack was observed by the Tajik Armed Forces. UNMOT confirmed it but was unable to verify its source. The village chief of Maimai claimed that the helicopters belonged to the Russian border forces. UNMOT established contact with the Commander of the Russian border forces, but he denied responsibility.

15. On the occasion of a visit to Gorno-Badakshan by the Aga Khan, UNMOT observed good cooperation at the field level between the Russian border forces and the opposition. This contributed significantly to defusing tensions in the area.

Joint Commission

16. Despite confirmation by the parties during the high-level Moscow talks in April 1995 of their commitment to provide material support to the Joint Commission, the support envisaged for the Commission in the protocol to the Tehran Agreement remains inadequate. At present, the members of the Joint Commission depend entirely on the Trust Fund established to support its activities. Since the commitments by the United Kingdom of Great Britain and Northern Ireland and the United States of America, no further pledges have been made towards the voluntary fund.

17. The Joint Commission has so far concentrated on monitoring and investigating cease-fire violations and has not assumed the political responsibilities envisaged in the Protocol to the Tehran Agreement. UNMOT continues to assist the Joint Commission in its work, including the drafting of rules of procedure to facilitate its meetings.

Liaison

18. UNMOT continued to maintain close liaison with the parties. The radio link with the opposition's headquarters in Taloqan in northern Afghanistan remains the sole means of communication with the opposition leadership. In view of the incidents that took place in April and also of the revised text of the Tehran Agreement, UNMOT has proposed the deployment of a team to Taloqan to allow for more direct liaison with the opposition and to establish a base for conducting investigations in northern Afghanistan.

19. UNMOT also maintained close liaison with the Peace-keeping Force of the Commonwealth of Independent States (CIS) and the Russian border forces on matters relating to the maintenance of the cease-fire. It provided its good offices to the Russian border forces and the opposition to avert clashes. In one instance, the Russian border forces requested the Mission's good offices to secure safe passage for one of their convoys. The convoy, however, moved ahead without waiting for UNMOT confirmation that passage was assured. This put the United Nations personnel at unnecessary risk. UNMOT informed the Russian border forces that it could not act on such requests without the assurance that all concerned would follow certain procedures.

Organizational aspects

20. As at 1 June 1995, UNMOT personnel numbered 72 overall, including 39 military observers from Austria (5), Bangladesh (7), Bulgaria (4), Denmark (4), Hungary (1), Jordan (5), Poland (2), Switzerland (3), Ukraine (3) and Uruguay (5), and 33 civilian staff. Mr. Darko Silovic continued as Head of Mission. Brigadier-General Hasan Abaza (Jordan) continued as Chief Military Observer. In addition to its headquarters in Dushanbe, UNMOT maintained field stations in Garm, Kalaikhumb, Khorog, Kurgan-Tube, Moskovskiy and Pyanj (see map to be issued as an addendum). UNMOT received a contribution in kind in the form of medical supplies from the Government of Switzerland.

Financial aspects

21. The General Assembly, in its resolution 49/240 of 31 March 1995, decided to appropriate the amount of $10,044,200 gross ($9,547,000 net) for the continued operation of the Mission for the period from 27 April 1995 to 30 June 1996, to be assessed at the rate of $717,400 gross ($681,900 net) per month, subject to the decision of the Security Council to extend the mandate of the Mission beyond the period authorized by it in its resolution 968 (1994). Therefore, should the Council decide to extend the mandate of UNMOT for a period of six months, as I recommend in paragraph 26 below, the costs for maintaining the operation would be $4,304,400 gross ($4,091,400 net).

22. As at 31 May 1995, the total of outstanding assessed contributions to the UNMOT special account was $2.2 million, which represents some 70 per cent of the assessment for the Mission since its inception. The outstanding assessed contributions for all peace-keeping operations totalled $1.9 billion.

IV. OBSERVATIONS

23. The results of the meeting between President Rakhmonov and Mr. Nuri in Kabul and the fourth round of inter-Tajik negotiations at Almaty are a small but positive step towards national reconciliation and the restoration of peace in the country. I should like to express my appreciation for the important role played by the observer countries and international organizations during the fourth round of inter-Tajik talks at Almaty and the Kabul summit, and in particular to President Nursultan A. Nazarbaev of Kazakstan and President Burhanuddin Rabbani of Afghanistan.

24. Nevertheless, little progress has been made in addressing the fundamental political results during the 14 months since the first round of inter-Tajik talks in April 1994. The situation in Tajikstan and on its borders with Afghanistan remains tense and the deepening economic crisis continues to have a negative impact on the attempts to achieve political stability in the country.

25. No time should be lost therefore in advancing the process of national reconciliation in Tajikistan. I have accordingly instructed my Special Envoy to explore with the two Tajik sides and the observer countries ways to achieve better progress on the fundamental political and institutional issues. In that

connection, I appeal to President Rakhmonov and Mr. Nuri to continue their direct dialogue, which will be an essential means of building mutual confidence and advancing a comprehensive political solution.

26. Meanwhile, UNMOT has been recognized by the Tajik parties as playing an instrumental role in containing the conflict. I believe that the United Nations should respond positively to their request for assistance in the implementation of the cease-fire. Accordingly, I recommend that the Security Council extend the mandate of UNMOT for another six months, until 16 December 1995.

27. For the reasons stated earlier, I consider the stationing of an UNMOT team in northern Afghanistan to be important, subject to the agreement of Afghan authorities, and I recommend that the Security Council approve this proposal in principle.

28. I hope that the successful implementation of the confidence-building measures adopted during the fourth round of inter-Tajik talks will create the conditions necessary for substantive progress on political and institutional issues. In that regard, I would like to emphasize that the primary responsibility for resolving their differences rests with the Tajik parties themselves. The continued involvement and presence of the United Nations in Tajikistan depends on the manner in which the parties discharge that responsibility.